

UNITED STATES DISTRICT COURT

for the
Middle District of North Carolina

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Cameron Reid Baker
Date Of Birth, December 13, 2001

Case No. 1:22MJ177-1

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

The person of Cameron Reid Baker date of birth December 13, 2001, more particularly described in Attachment A.

located in the Middle District of North Carolina, there is now concealed (identify the person or describe the property to be seized):

DNA in the form of saliva swabs will be used to compare Cameron Reid Baker's DNA to any DNA recovered from the firearm and ammunition seized on February 1, 2022, which is more particularly described in Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. § 922(g)(1)	Felon in Possession of a Firearm

The application is based on these facts:

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

/s/ Eli W. VanKuren

Applicant's signature

Eli W. VanKuren, Task Force Officer, ATF

Printed name and title

On this day, the applicant appeared before me via reliable electronic means, that is by telephone, was placed under oath, and attested to the contents of this Application for a search warrant in accordance with the requirements of Fed. R. Crim. P. 4.1.

Date: 04/18/2022 11:53am

Judge's signature

City and state: Durham, North Carolina

Joe L. Webster, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A SEARCH WARRANT

Your Affiant, Eli W. VanKuren, being duly sworn according to law, deposes and states as follows:

INTRODUCTION AND AGENT BACKGROUND

1. Your Affiant is a police officer for the Winston-Salem Police Department (WSPD) and has been so employed since August 2015. Your Affiant is a graduate of the North Carolina Basic Law Enforcement Training taught by the Winston-Salem Police Department. Your Affiant is also duly sworn as a Task Force Officer for Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). Your Affiant holds a bachelor's degree in Psychology from Harding University. During Your Affiant's career in law enforcement, Your Affiant has participated in multiple advanced training to include the Police Law Institute, Basic Gang Investigations, Violent Criminal Apprehension Techniques, and Basic Cell Phone Investigations among others.

2. As a Federal Task Force Officer, Your Affiant is authorized to investigate violations of United States' laws and to execute warrants issued under the authority of the United States.

3. Your Affiant has conducted and assisted with numerous investigations involving the commission of violent crimes, such as shootings, aggravated assaults, robberies, etc. Through instruction, training, experience, participation in investigations, and the exchange of information with other law

enforcement agents and officers, Your Affiant has become familiar with the manner in which people commit violent acts and the methods, language, and terms that are used to further their criminal activities.

4. Through experience gained during multiple investigations, Your Affiant is aware that forensic evidence, such as fingerprints and DNA, can be obtained during the forensic processing of physical evidence, including firearms and ammunition. From Your Affiant's experience, Your Affiant has learned that this forensic evidence can be used to identify and eliminate suspects.

5. This affidavit is made in support of a request for a search warrant to collect a DNA sample from CAMERON REID BAKER (hereafter BAKER), for a violation of 18 U.S.C. § 922(g)(1), Possession of a Firearm by a Convicted Felon, that occurred in Forsyth County, North Carolina on February 1, 2022.

6. BAKER is an adult male, who is further identified in Attachment A, with a date of birth of December 13, 2001.

7. This affidavit is based on my personal observations and knowledge, as well as the information provided to Your Affiant by other law enforcement officers. This affidavit is submitted solely to establish probable cause to obtain a DNA search warrant and, as such, does not contain all of the facts known to Your Affiant regarding this investigation.

BACKGROUND OF INVESTIGATIONS

8. On February 1, 2022, WSPD Officers C. Marshall and J. Hiatt were patrolling the area of Timlic Boulevard in Winston-Salem. The two officers observed a Toyota Camry bearing North Carolina Registration TCH-6261. Officers observed the vehicle did not have two working breaking lights as required by North Carolina General Statute and initiated a traffic stop.

9. Officers made contact with the driver of the Toyota Camry, who was identified as BAKER. Also inside the vehicle was Mr. Devon Diehl, who was sitting in the front passenger seat, and Mr. Christopher King who was in the backseat. While talking with BAKER, officers observed several rifle magazines in the backseat. Due to the occupants of the vehicle appearing nervous and rifle magazines being in plain view, the occupants were asked to step out of the vehicle.

10. As Mr. Diehl exited the vehicle, he produced a plastic bag containing what appeared to be marijuana and provided it to Officer Marshall. Officers conducted a probable cause search of the vehicle.

11. In the front passenger seat floorboard where Mr. Diehl was sitting, a Taurus 9mm handgun (S/N: TJY98041) was located. On the driver's floorboard, where BAKER was sitting, another Taurus 9mm handgun (S/N: ABL175076) was located. In the floorboard of the back seat, a Keltech PLR16

rifle (S/N: P9J40) was located. In the trunk of the vehicle, officers located a Springfield rifle (S/N: 382715).

12. Personnel with the WSPD Forensic Services Division took custody of the firearms and processed the firearm for potential DNA evidence and latent fingerprint evidence. During their processing of the Taurus 9mm handgun (serial number TJY98041), two swabs (one with and one without distilled water) were collected from the slide, grips, trigger and magazine of the Taurus 9mm handgun (serial number TJY98041) and the eleven (11) unfired rounds of 9mm caliber ammunition that were loaded in the firearm and its magazine. During their processing of the Taurus 9mm handgun (serial number ABL175076), two swabs (one with and one without distilled water) were collected from the slide, grips, trigger and magazine of the Taurus 9mm handgun (serial number ABL175076) and the twelve (12) unfired rounds of 9mm caliber ammunition that were loaded in the firearm and its magazine. During their processing of the Keltech PLR16 rifle (S/N: P9J40), two swabs (one with and one without distilled water) were collected from the slide, grips, trigger and magazine of the Keltech PLR16 rifle (S/N: P9J40) and the fifty-nine (59) unfired rounds of 5.56 caliber ammunition that were loaded in the firearm and its magazine. During their processing of the Springfield rifle (S/N: 382715), two swabs (one with and one without distilled water) were collected

from the slide, grips, trigger and magazine of the Springfield rifle (S/N: 382715).

13. On April 6, 2021, BAKER was convicted in Forsyth County Superior Court of a felony punishable by a sentence of imprisonment greater than one year, that is, Conspiracy to Discharge a Firearm into an Occupied Building, by receiving a 15–27-month active sentence.

14. On March 11, 2022, you Affiant contacted the North Carolina Governors Clemency Office in reference to BAKER's pardon status. It was confirmed BAKER has not received nor applied for a pardon. Therefore, BAKER's right to possess a firearm or ammunition has not been restored

15. Deoxyribonucleic Acid, more commonly referred to as DNA, is the chemical blueprint for life. Most human cells, other than reproductive cells, contain identical copies of a person's DNA. Although 99.9% of human DNA does not vary from person to person, no two persons, other than identical twins, have the same DNA. Human DNA is organized into twenty-three pairs of chromosomes and each chromosome contains a DNA molecule. DNA molecules have a double stranded helical structure that can be envisioned as a spiral staircase. These DNA molecules in the twenty-three pairs of human chromosomes contain approximately 3.3 billion base pairs. Most base pairs are arranged in the same sequence in all humans. However, every DNA molecule has regions where variability is found in the human population. Comparison

in these regions between a known sample and a suspect sample wherein a positive match between samples can be made with scientific certainty. DNA is contained in sweat, saliva, blood, skin, hair follicles and other human cell containing elements. DNA, in these and other forms, can be transferred and deposited to objects, to include but not limited to firearms and ammunition.

16. On April 14, 2022, your Affiant made contact with A. F. Overman, Forensic Scientist Supervisor/CODIS State Administrator with the North Carolina State Crime Lab. Overman stated that if swabs from the firearm in question were properly seized and packaged to preserve DNA, then it is possible for a comparison in these regions between a known sample and a suspect sample wherein a positive match between samples can be made with scientific certainty. Overman stated that, based on her training and experience, swabs from firearms, magazines, and bullets often yield DNA profiles that are suitable for comparison to a known sample.

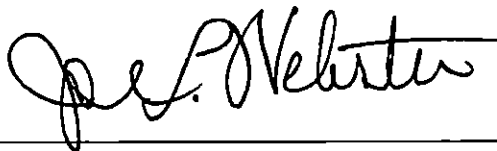
17. In light of the above facts, your Affiant knows that DNA is commonly located and recovered from evidence such as clothing, shoes, firearms and ammunition. DNA evidence can potentially identify a perpetrator(s) involved in criminal activity, as well as exclude uninvolved person(s). Your Affiant is now seeking to obtain known DNA (saliva swabs) from CAMERON REID BAKER. The DNA collected from BAKER can be compared with the swabs recovered from the Taurus 9mm handgun (serial

number TJY98041) and the eleven (11) unfired rounds of 9mm caliber ammunition, Taurus 9mm handgun (serial number ABL175076) and the twelve (12) unfired rounds of 9mm caliber ammunition, Keltech PLR16 rifle (S/N: P9J40) and the fifty-nine (59) unfired rounds of 5.56 caliber ammunition, and the Springfield rifle (S/N: 382715) seized during this investigation.

WHEREFORE, in conclusion of the facts presented, your Affiant respectfully requests that this Court issue a search warrant for the person of CAMERON REID BAKER as further described in Attachment A, authorizing the search and seizure of a DNA sample, as further described in Attachment B.

Respectfully submitted,
/S/ Eli W. VanKuren
Eli W. VanKuren
Task Force Officer
Bureau of Alcohol, Tobacco, Firearms and
Explosives

In accordance with Rule 4.1(b)(2)(A), the Affiant attested under oath to the contents of this Affidavit, which was submitted to me by reliable electronic means, on this 18th day of April, 2022, at 11:53 am.



JOE L. WEBSTER
UNITED STATES MAGISTRATE JUDGE

Attachment A

Description of Person to be Searched

Cameron Reid Baker, a white male, Date of Birth: 12/13/2001, North Carolina
ID: 43226776, FBI ID: N1L7MT06R

ATTACHMENT B

Particular Things to be Seized

Evidence of the offenses under investigation, in the form of:

Buccal DNA swab saliva specimen collected from CAMERON REID BAKER.